



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

May 8, 2000

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM: Robert Raben *Raben*  
Assistant Attorney General

SUBJECT: Weekly Report for May 8, 2000 - May 12, 2000

KEY ISSUES

**Elian Gonzalez:** On May 2, staff from the Office of Legislative Affairs, INS HQ, and INS-Miami, held a briefing for Senator Graham on the intelligence matters related to Operation Reunion, specifically on the possibility of weapons in or around the Gonzalez home in Miami. In addition, OLA has received a request from Chairman Hyde's staff for a bipartisan briefing on Operation Reunion. Staff from OLA also briefed staff of the House and Senate Judiciary on the Operation on May 3.

We are compiling the documents requested by Chairman Hatch regarding Operation Reunion, and the negotiations between the Department and Aaron Podhurst on April 21-22. It is expected that we will send the last batch of documents to Chairman Hatch by close of business on May 9.  
(First)

**Campaign Finance Oversight Hearing:** On May 10, the Senate Judiciary Subcommittee on Administrative Oversight and the Courts' Task Force on Department of Justice Oversight (Specter, Chair) will conduct a hearing on the Department's handling of the campaign finance investigation. Mr. Lee Radek, Chief of the Public Integrity Section of the Criminal Division has been requested to testify at the hearing. (Walter)

THE WEEK AHEAD

**Radiation Exposure Compensation Act:** Today, May 8, the RECA program will have exhausted all of its appropriated funds for FY 2000. The Office of Legislative Affairs is sending a letter to the House and Senate Judiciary Committees and the Department Appropriators. We are, as well, contacting the affected State delegations, to inform them of this occurrence.  
(Pearlman)

**Internet Fraud Complaints Center:** On May 8, you and Assistant Director Garcia announced the opening of the Internet Fraud Complaints Center. Congressional notifications were made to both House and Senate Judiciary Committee staff. (Daley)

**S. 2448, The Internet Integrity and Critical Infrastructure Protection Act of 2000:** On May 4, Chairman Hatch and Senator Schumer, the sponsors of this legislation, in response to the "'I Love You Virus'" announced that hearings would be held soon to move legislation which gives law enforcement the tools to crack down on cybercrime. The Department is currently reviewing this legislation and preparing a views letter. (Daley)

**Appropriations:** Both the House and Senate Appropriations Committees will mark up the FY 2001 spending bills this week. Of note, the FY 2001 military construction, agriculture and foreign operations bills in the Senate will be vehicles for the FY 2000 emergency supplemental funding. (Daley)

**Methamphetamine Anti-Proliferation Act:** On May 9, the House Judiciary Committee (Hyde, Chair) plans to mark up H.R. 2987, the Methamphetamine Anti-Proliferation Act of 1999. Similar legislation has passed the Senate. (Tanner)

**H-1B Visas:** On May 9, the House Judiciary Committee (Hyde, Chair) will consider H.R. 4227, a bill to lift the cap on H-1B visas for the next three years, while increasing the requirements that must be met for a company to receive additional H-1B workers. It is expected that there will be significant debate surrounding this bill, and amendments to remove new requirements for businesses seeking H-1B visas. The Senate may begin floor consideration of its version of the H-1B bill at the end of this week. (First)

**Mandatory Minimum Sentences:** On May 11, the Criminal Justice, Drug Policy and Human Resources Subcommittee (Mica, Chair) of the House Government Reform Committee will hold a hearing on the use of mandatory minimum sentences in drug prosecutions. John Roth, Chief of the Narcotics and Dangerous Drug Section of the Criminal Division, and Tom Kane, Assistant Director for Policy of the Bureau of Prisons are scheduled to testify before the Subcommittee. (Tanner)

**YAWA:** On May 11, the Crime Subcommittee (McCollum, Chair) of the House Judiciary Committee is scheduled to mark up H.R. 1248, a bill that reauthorizes the Violence Against Women Act. The Administration supports this bill, but the bill does not include many of the substantive changes we are seeking. (First/D. Burton)

**Trafficking:** The House is expected to pass H.R. 3244 this week under suspension of the Rules. H.R. 3244 is a comprehensive bill to combat trafficking in persons. The Administration supports the intent of the bill, but has concerns about certain provisions, in particular the imposition of sanctions against countries that are not doing enough to combat trafficking. In addition, the bill creates new crimes under which the Department can prosecute traffickers, and it creates a new visa – the T visa – that is specifically aimed at protecting trafficking victims. Staff from the Office of Legislative Affairs, the Civil Rights Division and Criminal Division's Child Exploitation and Obscenity Section have worked with various House members to address many of the Department's concerns regarding the new crimes created by the bill. Together with staff from INS, we have tried to work with Members to address the Department's concerns with the T visa provision; however, problems still exist with this section of the bill. (First/D. Burton)

**Nominations:** On May 10, the Senate Governmental Affairs Committee will hold a confirmation hearing on the nominations of Anna Blackburne-Rigsby, Thomas Motley, and John Mott, all to be Associate Judges of the Superior Court of the District of Columbia.

On May 10, the Senate Judiciary Committee, with Senator Specter chairing, will hold a hearing on the nominations of Petrese Tucker, Mary McLaughlin, Burle Schiller and Richard Surrick, all to be United States District Judges for the Eastern District of Pennsylvania.

The nomination of Dennis Cavanaugh, to be a United States District Judge for the District of New Jersey, was sent to the Senate on May 3. (Scott-Finan)

**Providence, Rhode Island:** Constituents of Congressman Patrick Kennedy are coming to the Department to meet with Acting Assistant Attorney General Bill Lann Lee and the Deputy Attorney General on May 10 to present their concerns about the State's case in the Cornell Young shooting. (Scott-Finan)

**Child Exploitation Legislation:** On May 11, the Crime Subcommittee (McCollum, Chair) of the House Judiciary Committee, will hold a hearing to consider the following bills related to child exploitation: H.R. 894, the "No Second Chances for Murderers, Rapists, or Child Molesters Act of 1999"; H.R. 4045, "Matthew's Law," providing enhanced penalties for crimes of violence against children under age 13; H.R. 4047, "Two Strikes and You're Out Child Protection Act"; and H.R. 4147, the "Juvenile Justice and Accountability Act of 1999," companion legislation to S. 254, the "gun bill."

The Department will submit written views on these bills, all four of which were included in some form in H.R. 1501, the Juvenile Justice and Accountability Act of 1999, companion legislation to S. 254, the "gun bill." (Owen)

**H.R. 3125, The Internet Gambling Prohibition Act:** It is expected that H.R. 3125 will be filed this week and could be on the floor next week. The Department is opposed to the legislation and anticipates there will be a Statement of Administration Policy to that effect. (Daley)

**Indian Arts and Crafts Oversight Hearing:** The Senate Indian Affairs Committee (Campbell, Chair) has scheduled an oversight hearing for May 17 on the Indian Arts and Crafts Statute, Section 1159(a), and has invited the Department to testify about problems arising in its efforts to enforce the law and whether the law needs to be amended to facilitate prosecutions and the filing of civil actions on behalf of tribes. Representatives of the Office of Legislative Affairs and Committee staff are working together to ascertain the most appropriate Department witness for this hearing. The Committee has indicated that it is interested in hearing testimony from a prosecutor with actual experience litigating a case under this law. (Ho)

**Classified Evidence:** The House Judiciary Committee (Hyde, Chair) has scheduled a hearing for May 23, regarding the use of classified evidence in immigration proceedings. FBI Director Louis Freeh has been invited to testify. (First)

## **THE WEEK IN REVIEW**

**Application of Ethics Rules to Government Attorneys:** On May 5, representatives from the Executive Office of U.S. Attorneys, the Office of the Associate Attorney General, the Criminal Division, and the Office of Legislative Affairs met with Senator Leahy's staff concerning the impact of 28 U.S.C. 530B, which applies state ethics rules to federal attorneys. (Graupensperger)

**Guns:** Representatives of the Office of the Deputy Attorney General and the Office of Legislative Affairs met last week with Congressman Jim Greenwood (R-PA) to discuss the National Instant Background Check System. (Graupensperger)